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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,611	08/30/2000	Charles E. Cantwell	10003898-1	4360

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Intellectual Property Administration
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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/652,611

Applicant(s)

CANTWELL, CHARLES E.

Examiner

Paul H. Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/05/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-10, and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al. US Pat. App. No. 2001/0023440 A1, in view of Hancock et al., US Pat. No. 6,295,502 B1.

2. As per claims 1, 8 and 15, Franklin discloses a method for learning the physical location of a resource in communication with a network, where the method comprises assigning to the resource a global resource locator (GRL) tag, the GRL tag including at least a description of the physical location of the resource, the description of the physical location including a coordinate system and coordinates for the resource, communication the GRL tag over the network, and extracting the description of the physical location from the GRL tag (Fig. 1; Fig. 7; Page 1, paragraph [0015]; Page 3, paragraph [0044]; Page 4, paragraph [0054]; Franklin teaches assigning a resource application object for each resource over a network, where each object has the geographic position of the resource).

However, Franklin does not explicitly teach a system and method wherein the description of the physical location includes a coordinate system. In the same field of endeavor, Hancock

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teaches a system and method of identifying geographical locations wherein descriptions of various coordinate systems are used (Hancock, col. 26, lines 18-36 and col. 29, line 54 – col. 30, line 37).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the description of the coordinate system, as taught by Hancock, into the GRL system of Franklin for the purpose of accommodating multiple coordinate systems.

3. As per claim 2, Franklin-Hancock further teaches storing the GRL tag on the resource (Franklin, Page 2, paragraph [0020]).

4. As per claim 3, Franklin-Hancock further teaches storing the GRL tag in a list of resources in a server (Franklin, Fig. 3; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

5. As per claim 5, Franklin-Hancock also teaches the GRL tag including a descriptive label of the resource in the GRL tag (Franklin, Fig. 7; Page 4, paragraph [0054]).

6. As per claims 6 and 16, Franklin-Hancock further teaches including applying user selected search criteria to the GRL tag (Franklin, Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

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7. As per claims 7 and 17, Franklin-Hancock also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Franklin, Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

8. As per claim 8, Franklin-Hancock teaches a system for learning the physical location of a resource in communication with a network where the system comprises a network resource, a client device, a network for providing communication between the network resource and the client device, a tag assignor configured to assign to the resource a global resource locator GRL tag including at least a description of the physical location of the resource, the description of the physical location including a coordinate system and coordinates for the resource, and executable code, accessible by the client, configured to extract the description of the physical location from the GRL tag for the client (Franklin, Page 1, paragraph [0015]; Page 2, paragraph [0017]; Page 3, paragraph [0044]; Page 4, paragraph [0054]).

9. As per claim 9, Franklin-Hancock further teaches the means for the tag assignor to store the GRL tag on the resource (Franklin, Page 2, paragraph [0020]).

10. As per claim 10, Franklin-Hancock further teaches the assignor to include a server, a list of resources stored on the server and means for storing the GRL tag in the list of resources (Franklin, Fig. 3; Page 2, paragraph [0017]; Page 4, paragraph [0050]: Franklin stores an object tree 92 of application objects 100 in a directory service server 81).

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11. As per claim 12, Franklin-Hancock also teaches the tag assignor includes means for providing a descriptive label of the resource in the GRL tag (Franklin, Fig. 7; Page 2; paragraph [0017]; Page 4, paragraph [0054]).

12. As per claim 13, Franklin further teaches executable code is further configured to apply user selected search criteria to the GRL tag (Franklin, Fig. 3, Item 106; Page 1, paragraph [0015], Page 4, paragraph [0050]).

13. As per claim 14, Franklin-Hancock also teaches the user a selected search criterion includes that comparison of a location of the user to the location of the resource (Franklin, Fig. 3; Page 1, paragraph [0015], Page 4, paragraph [0050]).

14. As per claim 18, Franklin-Hancock further teaches displaying to the user resource meeting the user selected search criteria (Franklin, Page 2, paragraphs [0020]-[0027]).

Response to Arguments

Applicant's arguments filed April 12, 2005 have been fully considered but they are not persuasive. The applicant argued in substance that the prior art of record fails to teach "the location information or the data packet 1708 containing a coordinate system." The applicant asserts "Hancock discloses storing location information in a data packet 1708 [and] the location information includes coordinates and may be in the Go2 grid coordinate system format or a latitude/longitude coordinate system format...[however] the coordinates being in one format or

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another does not imply or suggest that the coordinate system is also included with the coordinates.”

The examiner respectfully disagrees. The prior art of record teaches a system and method comprising a packet for storing location information and the coordinate system. Specifically, Hancock teaches a data packet having location information in either Cartesian format or the Go2 format is received. The system then detects which format the location information is in. Based on this determination, the system then translates or converts the information into the Go2 format. See Hancock col. 26, lines 18-36 and col. 29, lines 1-7. Therefore, because the system is able to detect which format the location information is in, and because the format of the location information indicates the coordinate system being used, the location information itself is deemed to the “coordinate system” as found in the claims.

It is noted that during examination of this patent application, the claims were given the broadest reasonable interpretation consistent with the specification and the prior art while not reading limitations into the claims from the specification. Insofar, the claims have been given the broadest reasonable interpretation since the applicant may then amend his claims, the thought being to reduce the possibility that after a patent is granted the claims may be interpreted as giving broader coverage than is justified. Here, the “coordinate system” can be fairly read to be the format of the location information, or any other indication identifying a specific coordinate system. Therefore, applicant’s arguments regarding the coordinate system are not given weight as to the patentability of the claimed subject matter.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PAUL H. KANG
PRIMARY PATENT EXAMINER